



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

March 16, 2020

**VIA ECF**

The Honorable Laura Taylor Swain  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

**Re: *United States v. Jesse Rodriguez*, 18 Cr. 488**

Dear Judge Swain:

The Government writes with defense counsel's consent to request a 45-day continuance of the upcoming status conference in the above-captioned case, currently scheduled for 11:30 a.m. on March 24, 2020. Given the stringent precautions arising from the current public health response to COVID-19, including efforts to slow its transmission, the Government has learned that the Federal Defenders of New York has migrated to remote operations, hampering defense counsel's abilities to meet with the defendant and prepare for court proceedings. The Government has further learned that, pursuant to Chief Judge Colleen McMahon's March 13, 2020 Standing Order, individual judges may exercise their discretion to adjourn hearings and conferences. *See* Standing Order, 20 Misc. 154.

Accordingly, the Government respectfully requests that the Court reschedule the upcoming status conference for a later date. The Government further requests that time be excluded under the Speedy Trial Act to provide defense counsel additional time to consult with the defendant and reach a determination regarding competency, pursuant to Title 18, United States Code, Section 3161(h)(7)(A). The Government has conferred with defense counsel who consents to the request for adjournment and the exclusion of time.

THE APPLICATION IS GRANTED. THE  
CONFERENCE IS ADJOURNED TO 5/12/2020  
AT 2:45 P.M. IN COURTROOM 17C. THE COURT  
FINDS PURSUANT TO 18 U.S.C. §3161(H)(7)(A) THAT  
THE ENDS OF JUSTICE SERVED BY AN  
EXCLUSION OF THE TIME FROM TODAY'S DATE  
THROUGH 5/12/2020 OUTWEIGH THE BEST  
INTERESTS OF THE PUBLIC AND THE DEFENDANT by:  
IN A SPEEDY TRIAL FOR THE REASONS STATED  
ABOVE. DE# 72 resolved. SO ORDERED.

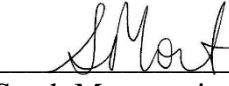
/S/ LAURA TAYLOR SWAIN 3/17/2020

LAURA TAYLOR SWAIN, USDJ

cc: Clay Kaminsky, Esq. (via ECF)

Respectfully submitted,

GEOFFREY S. BERMAN  
United States Attorney

  
\_\_\_\_\_  
Sarah Mortazavi  
Assistant United States Attorney  
(212) 637-2520